

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

| | | |
|------------------------|---|-----------------------|
| LUIS SANTANA, |) | No. C 07-3411 JF (PR) |
| |) | |
| Petitioner, |) | ORDER OF DISMISSAL |
| |) | |
| vs. |) | |
| |) | |
| JAMES A. YATES, Warden |) | |
| |) | |
| Respondent. |) | |

Petitioner, a state prisoner proceeding pro se, filed a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on June 29, 2007. On that same day, the Court sent a notification to Petitioner informing him that he had neither paid the filing fee nor submitted a completed application for leave to proceed in forma pauperis. The Court provided a copy of the correct form for application to proceed in forma pauperis, along with a return envelope, instructions, and a notification that the case would be dismissed if Petitioner failed to pay the fee or file the supporting documentation within thirty days.


On July 23, 2007, the Court's notice was returned by mail as undeliverable. As of the date of this order, Petitioner has not communicated with the Court, paid the \$5.00 filing fee or submitted a completed in forma pauperis application.

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1 Accordingly, the instant habeas action is DISMISSED without prejudice for Petitioner's
2 failure to pay the filing fee or file a completed in forma pauperis application. The Clerk
3 shall terminate any pending motions and close the file. No filing fee is due.

4 IT IS SO ORDERED.

5 DATED: 8/28/07


JEREMY FOGEL
United States District Judge

1 A copy of this ruling was mailed to the following:

2 Luis Alberto Santana
3 T-85157
4 Pleasant Valley State Prison
5 P.O. Box 8501
6 Coalinga, CA 93201
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